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November 20, 2007

**HAND DELIVERED AND
FILED ELECTRONICALLY**

Clerk of Court
United States District Court For
the Western District of Washington
700 Stewart Street
Seattle, WA 98101

Re: Kelley, et al v. Microsoft Corporation
W.D. Wash. No. C-07-0475 MJP

Dear Clerk of Court:

This letter accompanies Defendant Microsoft's submission of a binder to Judge Pechman in this matter. The binder contains *original exhibits* and courtesy copies of select materials. It is our understanding based on discussions with your office that the original hard copies and disk included in Judge Pechman's binder will be considered to be a part of the record, even though they could not be electronically filed. These original materials include the paper Exhibits to Mr. Tindall's declaration and Exhibit J to Mr. Gatchalian's declaration, which is a disk.

We have provided courtesy copies to opposing counsel of the hard copies and disk. We have also filed black and white photocopies of the original hard copies and disk cover. Finally, we have noted on the binder label that the binder contains original exhibits that are a part of the record and that should not be destroyed.

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Thank you for your assistance, and please let me or my partner, Cassi Kinkead, know if you have any questions.

Very truly yours,

Davis Wright Tremaine LLP



Stephen M. Rummage

Enc.

cc: Jeffrey I. Tilden, Esq.
Ian S. Birk, Esq.